

# NORTH CAROLINA'S RECREATIONAL TRAILS PROGRAM GRANT



## GENERAL INFORMATION

North Carolina Division of Parks and Recreation

State Trails Program

September 2012

**\*Disclaimer:** RTP Grant Information produced by NC DPR-State Trails Program is guidance. This document can be updated/changed at any time pending review/comment from Federal Highway Administration

## **QUICK FACTS ABOUT NORTH CAROLINA'S RECREATIONAL TRAILS PROGRAM**

**APPLICATION DEADLINE:** **January 31, 2013**

**Source of Funds:** 'Moving Ahead for Progress in the 21st Century Act' (MAP-21) includes funding for the Federal Recreational Trails Program at the 2009 funding level (\$1.6M)

**Acronym:** RTP

**Anticipated RTP Annual Amount:** Approximately \$3.5 Million

**Permissible Uses:**

- New Trail/Greenway Construction
  - Natural Surface
  - Hardened Surface
- Trail/Greenway Renovation
- Approved Trail/Greenway Facilities
- Trail Head/Trail Markers
- Purchase of Tools and Materials to Construct and/or Renovate Trail/Greenway
- Land Acquisition for Trail Purposes
- Combination of the Above

**Grants Available to:**

- Governmental Agencies
- Non-profit Organizations

**Minimum Grant Amount:** \$10,000

**Maximum Grant Amount:** \$200,000

**Match Requirement:** RTP Requires a 25% Match of RTP Funds Received (Cash and/or In-kind and Force Labor Services)

**Grants Awarded in 2012:** 26 Applications Funded Totaling \$1,706,718

**Number of Applications Received:** 60 Applications Totaling \$4,021,704

**Application Cycle:**

- Pre-Application (required) – Available online now
- Pre-Application - Due November 1st, 2012**
- 2012 RTP Applications – Available by Invitation Only
- 2012 RTP Applications – Due January 31, 2013**

**Contact:** **Grants Manager – Vincent Newman-Brooks**  
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**Contact List:** [http://www.ncparks.gov/About/trails\\_contacts.php](http://www.ncparks.gov/About/trails_contacts.php)

## **FEDERAL ENABLING LEGISLATION -RECREATIONAL TRAILS PROGRAM**

The RTP is a federal grant program authorized by Congress in 2010 as the Moving Ahead for Progress in the 21st Century Act (MAP-21). This authorization provided funding for the RTP through the 2014 fiscal year.

The intent of the RTP is to help fund trails and trail-related recreational needs at the State level. Funding for the RTP comes from federal gas taxes paid on non-highway fuel used in off-highway vehicles, and the program is administered at the Federal level by the Federal Highway Administration. At the State level, the Secretary of the Department of Environment and Natural Resources (DENR) has assigned that responsibility to the Division of Parks and Recreation and its State Trails Program. The North Carolina Trails Committee (NCTC) is a seven-member advisory committee who will review all applications and make recommendations for funding. The Secretary of DENR has the final approval authority for North Carolina.

## **FEDERAL HIGHWAY ADMINISTRATION/RECREATIONAL TRAILS PROGRAM WEBSITE AND PROGRAM INFORMATION**

For more information about the Recreational Trails Program, visit the Federal Highways Administration's website: <http://www.fhwa.dot.gov/environment/rectrails/index.htm>. This site includes the following information: enabling legislation, program guidelines, and information about funding authorization.

## **FEDERAL DEFINITION OF TRAIL**

***Section 206 of the Recreational Trails Program Legislation provides the following definitions for Motorized Recreation and Recreational Trail:***

**MOTORIZED RECREATION** --The term "motorized recreation" means off-road recreation using any motor-powered vehicle, except for a motorized wheelchair.

**RECREATIONAL TRAIL** --The term "recreational trail" means a thoroughfare or track across land or snow, used for recreational purposes such as:

- Pedestrian activities, including wheelchair use
- Skating or skateboarding
- Equestrian activities, including carriage driving
- Non-motorized snow trail activities, including skiing
- Bicycling or use of other human powered vehicles
- Aquatic or water activities
- Motorized vehicular activities, including all terrain vehicle riding, motorcycling, snowmobiling, use of off-road light trucks, or use of other off-road motorized vehicles

## **PERMITTED USES OF RTP GRANT FUNDS**

- Development of urban trail linkages
- Maintenance of existing recreational trails
- Restoration of areas damaged by usage of recreational trails and back country terrain
- Development of trail-side and trail-head facilities **limited to** drinking water fountains, restroom facilities, safety rails, signs, benches, and vehicle parking areas
- Provision of features which facilitate the access and use of trails by persons with disabilities
- Acquisition of easements for trails
- Acquisition of fee-simple title to property from a willing seller for trail use, when the objective of the acquisition cannot be accomplished by acquisition of an easement or by other means

**Note:** *RTP guidance prohibits condemnation of any kind of interest in property and you must follow the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 – 49 CFR Part 24*

- Construction of new trails on state, county, municipal, or conveyed easements across private lands, where a recreational need for such construction is shown
- Construction of new trails crossing federal lands, where such construction is approved by the administering agency charged with management of all impacted lands
- Design, engineering and environmental compliance study costs of up to 10% of any RTP grant award
- Acquisition of trail construction and maintenance tools and/or equipment (\$500.00 maximum per unit established by North Carolina)
- Rental of trail construction and maintenance tools and equipment

## **NON-PERMITTED USES OF RTP GRANT FUNDS**

- Trail brochures and maps
- Condemnation of any kind of interest in property
- Construction of any recreational trail on National Forest System lands for motorized uses unless such lands (other than wilderness areas) are otherwise consistent with the management direction in such approved land and resource management plan
- Upgrading, expanding or otherwise facilitating motorized use or access to trails predominantly used by non-motorized trail users, and on which, as of May 1, 1991, motorized use is either prohibited or has not occurred
- Feasibility Studies
- Law Enforcement
- Railroads
- Roads
- Sidewalks
- Wilderness areas
- Construction of any recreational trail on Bureau of Land Management land for any motorized use unless the land has been designated for uses other than wilderness by an approved BLM resource management plan or has been released to uses other than wilderness by an Act of Congress; and the construction is otherwise consistent with the management direction in the approved management plan.

## **FEDERAL RTP ALLOCATION REQUIREMENTS**

- 30% Reserved for Motorized Trails  
Not less than 30% of the State's allocation must be reserved for uses relating to motorized recreation. This includes motorized single use projects and motorized diverse use projects.
- 30% Reserved for Non-Motorized Trails  
Not less than 30% of the State's allocation will be reserved for uses relating to non-motorized recreation. This includes non-motorized projects for a single use and non-motorized diverse use projects.
- 40% Diverse Use Projects  
40% of the State's allocation is discretionary funding, but preference will be given to projects with the greatest number of compatible recreational purposes or that provide for innovative recreational trail corridor sharing to accommodate motorized and non-motorized recreational trail use.

## **FEDERAL MATCH REQUIREMENTS**

The Federal RTP is a 75/25 matching grant program. For every RTP dollar received, the grantee must provide the required 25% match. This 25% match must come from a **non-FHWA** source in the form of cash, force labor services, donated services or materials or the value of acquired, or donated land for this specific trail project.

## **APPROVED IN-KIND MATCH ALLOWANCES**

RTP applicants are allowed to use In-Kind and Force Account Labor services as all or some portion of their required 25% match. The services provided must be performed to help with or in support of the project that will be accomplished with approved RTP grant funds. Each listed In-Kind and/or Force Labor match must reference a listed deliverable. Proof of donation/gift must be provided and value of donation documented on official letterhead with date of donation.

### **Allowable in-kind services are:**

#### *General Volunteer Labor*

- 17 years and up – labor valued at \$18.18 per hour as noted by the Independentsector.org at [http://www.independentsector.org/volunteer\\_time](http://www.independentsector.org/volunteer_time)).
- 16 years and under – labor valued at \$6.55 per hour, North Carolina's Minimum Wage

#### *Skilled volunteer/ labor and/or services*

- Skilled volunteer labor – valued at the fair market rate, equal to what the individual is normally paid for such service; documentation of labor and value of labor is required.

### *Donated Equipment and Operator*

- Donated Equipment and Operator – equipment and labor valued at the fair market rate, equal to what the individual is normally paid for such service, documentation of gift and value required.

### *Value Donated Materials*

- Donated Materials – valued at the fair market value of any materials from the person or persons donating the materials, documentation of gift and value required.

### *Value of Project Planning and Environmental Compliance Costs*

- Planning and Environmental Compliance Services – The donation of professional or accredited planning and environmental compliance services will be valued at the fair market value, documentation of gift and value required. These services are limited to costs incurred less than 18 months prior to the date RTP contract awarded, or after the grant contract document is fully executed. This service must apply specifically to guidance or support of the project that will be accomplished with approved RTP funds.

### *Value of Land Donated for this Trail Project*

- Land donated to a governmental agency or a non-profit organization for public trail – will be valued at the appraised value of the donation. The donation of land must have taken place less than 18 months prior to the date the RTP State Grant Contract was fully executed.

**Note:** *The donation of land or interest in land must be for a minimum of 10 years with no cancelation clauses.*

### **Allowable Force Account Match Services Are:**

- *Use of Agency or Organization Owned or Leased Equipment to accomplish approved RTP deliverables* – will be valued according to the federally approved Federal Emergency Management Agencies (FSMA) equipment rates – information provided on the following website:  
<http://www.fema.gov/government/grant/pa/eqrates.shtm>.
- *Use of Agency or Organization's paid labor to accomplish approved RTP deliverables* – will be valued at the current hourly rate of pay for employee labor per hours worked for the associated deliverable.
- *Value of Land Acquired by an Agency or Organization for this Specific Trail Project* – will be valued at the price paid by the agency or organization for the land. This acquisition of land must have taken place less than 18 months prior to the date the RTP State Grant Contract was fully executed.

**Note:** *The acquisition of land or interest in land must be for a minimum of 10 years with no cancelation clauses.*

## **NORTH CAROLINA - STATE RTP REQUIREMENTS**

### **RTP Project Lands**

North Carolina will award RTP grants to projects that are:

- On lands owned in fee simple or easements that are held in perpetuity by a governmental agency provided that the public is allowed use of the trail or facilities.
- On lands owned in fee simple or easements that are held in perpetuity by a non-profit organization provided that the public is allowed use of the trail or facilities.
- On lands that are leased by a governmental agency or non-profit organization for a minimum of 10 years.

***Note:*** *These are listed in priority order for evaluation and funding recommendations.*

### **Minimum Timeframe for Public Use**

[http://www.fhwa.dot.gov/environment/rectrails/rtp9908\\_pt2.htm#page42](http://www.fhwa.dot.gov/environment/rectrails/rtp9908_pt2.htm#page42) states "The RTP legislation does not require a minimum timeframe for a trail project to remain open to the public. Each State should establish a minimum timeframe appropriate for the type of trail use. Examples:

- A State may choose to invoke the Continuing Recreational Use provision of Section 6(f)(3) of the Land and Water Conservation Fund Act of 1965. See Continuing Recreational Use.
- If a project is located on an easement or on leased land, the State should establish a minimum timeframe for the easement or lease. The project should remain open for public access for the use for which the funds were intended."

The Division of Parks and Recreation after consulting with the North Carolina Trails Committee have established the following minimum timeframe for public use:

**Any trail project funded in part with RTP grant funds shall remain open to the public for a period of 10 years. Should a RTP trail project be closed prior to 10 years of public use, without sufficient reason, the State reserves the right to seek repayment of RTP funds based on a 10% per year depreciation schedule. And, the grantee's grant performance will be used when evaluating future grant applications submitted.**

## **REIMBURSEMENT GRANT PROGRAM**

***The GRANTEE must finance 100% of the project costs.*** All eligible, incurred and documented expenditures will be refunded to the grantee, up to 90% of the total **RTP award amount**. The last 10% will be withheld until the project is complete, all records submitted, and a final site inspection has been completed. When all requirements have been met, the final 10% will be reimbursed.

***Note:*** *You must complete at least one of your defined project deliverables in order to request any reimbursement.*

## **RTP APPLICATION REVIEW, SCORING AND APPROVAL PROCESS**

### **RTP PRE-APPLICATION – Deadline, November 1st, 2012**

The Division of Parks and Recreation and the State Trails Program are requiring a **“2013 Federal Recreational Trails Program Pre-Application”** be submitted.

All agencies and non-profit organizations interested in applying for 2013 Recreational Trails Program funding are **required to complete and submit the online pre-application by November 1st, 2012 by 11:59pm**. The 2013 Federal Recreational Trails Program Pre-Application is available on the State Trails Program website online at: [http://www.ncparks.gov/About/trails\\_grants.php](http://www.ncparks.gov/About/trails_grants.php) then click on Recreational Trails Program, next click on the RTP Trail Project Link that will take you to the information and application page.

Should your Pre-Application be selected by the NCTC, your agency or organization will be **notified and invited to submit a 2013 Federal Recreational Trails Program Final Application**.

### **DPR’s goals for implementing this RTP Pre-Application process are:**

1. Provide potential applicants with a simple/short pre-application to help them begin to think about potential 2013 RTP Grant Applications
2. Enable staff to evaluate, encourage or potentially to suggest changing the scope of a project to better match the NCTC stated goals of:
  - a) funding projects that advance State, Regional and Local Trail projects;
  - b) building sustainable trails and support facilities;
  - c) funding projects that are “shovel ready” and that can be completed in 2 years;
  - d) funding projects that are planned, with approvals from appropriate land managers;
  - e) funding projects that are physically possible, legally permissible and financially feasible
  - f) funding projects that are publically supported;



- g) funding projects that will be managed, maintained and operated for public use for a minimum of 10 years; and,
  - h) well defined projects that can be represented on a map(s)
3. To discourage last minute applications – potentially a waste of everyone’s time
  4. To give the State Trails Program an opportunity to work with interested applicants to submit strong, well-defined, and appropriate RTP applications in order to meet the Governor's mandate for use of public funds.

**Desired Outcomes:**

1. Higher quality RTP applications that address NCTC & State Trails Program goals
2. Reduce applications for projects that are not eligible for funding

**RTP APPLICATION (Invitation Only) – Deadline, January 31, 2013**

All electronic PDF applications must be submitted before 11:59 p.m. on January 31, 2013 - and a mailed CD/DVD/Flashdrive of application and ALL required documentation postmarked on or before January 31, 2013.

Applications and supporting documentation submitted on or before the deadline will be reviewed by State Trails Program staff and the North Carolina Trails Committee.

Applications received after the deadline and/or without required documentation will NOT be considered.

**Review of Grant Projects – Year round**

Applicants are encouraged to submit grant assistance requests early to allow time for the appropriate Regional Trails Specialist to review proposed projects and insure that an applicant will provide all required documentation.

Prior to the application deadline, the Regional Trails Specialist will assist applicants, if needed, to modify or correct your application.

**RTP Application Scoring – February 2013**

A scoring breakdown can be found on our website [http://www.ncparks.gov/About/trails\\_grants.php](http://www.ncparks.gov/About/trails_grants.php)

The point values will be totaled and the applications ranked according to score from high to low. This RTP Scoring Criteria will be used to initially evaluate and rank all applications received. Other funding criteria include: regional distribution of grant awards; and consideration of funding of projects that serve all trail user types, are sustainable, include public need, financial and political support and demonstrate connectivity to other trail(s).

## North Carolina Trails Committee Review and Funding Recommendations - April 2013

It is a duty of the North Carolina Trails Committee to review all applications received and to make RTP grant funding recommendations to the Secretary of the Department of Environment and Natural Resources, who is authorized to award RTP grants.

The North Carolina Trails Committee will consider the following factors when making their RTP grant funding recommendations:

- The required:
  - 30% to Off-Highway Vehicle Trail Projects
  - 30% to Non-Motorized Trail Projects
  - 40% to Diverse/Multiuse Trail Projects
- Regional distribution of funds
- Projects that serve all trail user types
- Implement sustainable trail practices
- Are ready to build
- Are supported by communities and the public
- shows demonstrated fiscal & political support
- understand and comply with environmental conservation and regulation

The North Carolina Trails Committee will meet in April to review project applications and make final funding recommendations to the Secretary of DENR.

## Compliance with Environmental and Historical Rules and Regulations – July 2013

**This section is under review** - an update will be coming soon pending guidance from FHWA and NC DENR Environmental Assistance

## Notification of Grant Award - Secretary's Award Letter – August 2013

Applications found in compliance with environmental and historical reviews and meet the NCTC provisions will be forwarded to the Secretary of DENR for review and approval. Grantees whose projects are selected for funding can expect an award letter from the Secretary in August 2013.

**Note:** *This letter will be notification that your application has been approved for funding. A contract must be fully executed between the State and the Grantee before you are authorized to expend funds that you will want to be reimbursed as a part of this RTP Grant.*

## Award of State Grant Contracts October 2013

All applications approved for funding (pending compliance with State and Federal environmental and historical rules and regulations) will be sent to the Division of Purchase and Services who will execute the individual

grant contracts for signature. Contracts must be fully executed by all parties prior to a grantee encumbering any funds or match donations they want reimbursed through the 2013 RTP. You will receive 4 paper copies of your State Grant Contract. These 4 copies are to be signed and returned to the Division of Purchase and Services for their signature. This process can take up to eight weeks to complete. Tentative date for issuance of contracts is October 2013.

***Only after you have a fully executed copy of this grant contract can you begin work on your specific project for which you want reimbursement.***

### **STATE GRANT CONTRACT START AND END DATES**

The State Grant Contract provides a grantee a start and ending date for a grant project. (All contract dates are tentative and are final pending information provided by Division of Purchase and Services).

The State will not reimburse a grantee for any project expenditures that are dated prior to the start date or after the contract ending date as noted in the contract document.

State Grant Contracts for RTP grants provide the grantee two (2) years to complete the project. A grantee may request up to a one year extension given sufficient explanation and timeline for expected completion.

### **CONSULTATION AND TECHNICAL ASSISTANCE**

Your State Trails Program staff are ready to assist you in the development and/or review of your 2013 RTP Pre-Application and your 2013 Final RTP Application. Please request our assistance.

A listing of staff can be found online at [http://www.ncparks.gov/About/trails\\_contacts.php](http://www.ncparks.gov/About/trails_contacts.php).